

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 12-2004)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

112701-595

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/529245

INTERNATIONAL APPLICATION NO.

PCT/EP03/010740

INTERNATIONAL FILING DATE

26 September 2003

PRIORITY DATE CLAIMED

27 September 2002

TITLE OF INVENTION

INTERFACE STABILISATION OF A PRODUCT WITH 2 OR MORE PHASES WITH A PROTEIN-POLYSACCHARIDE COMPLEX

APPLICANT(S) FOR DO/EO/US

Kolodziejczyk et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 351 268 655 US**
23. ☒ Other items or information:

Power of Attorney (1 page)**Certified Copy of Priority Document (EP 02021653.7)****Return Receipt Postcard**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 24pt; font-weight: bold; text-align: center;">10/529245</div>		INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; text-align: center;">PCT/EP03/010740</div>		ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; text-align: center;">112701-595</div>											
24. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee \$300.00 <input checked="" type="checkbox"/> b) Examination fee \$200.00 <input checked="" type="checkbox"/> c) Search fee \$500.00 <div style="text-align: right; font-weight: bold;">TOTAL OF ABOVE CALCULATIONS = \$1000.00</div>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Applicant use</th> <th style="width: 50%;">Office use</th> </tr> <tr> <td>\$ 300.00</td> <td></td> </tr> <tr> <td>\$ 200.00</td> <td></td> </tr> <tr> <td>\$ 500.00</td> <td></td> </tr> <tr> <td>\$ 1,000.00</td> <td></td> </tr> </table>		Applicant use	Office use	\$ 300.00		\$ 200.00		\$ 500.00		\$ 1,000.00	
Applicant use	Office use														
\$ 300.00															
\$ 200.00															
\$ 500.00															
\$ 1,000.00															
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.															
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE												
- 100 =	/50 =		x \$250.00												
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$											
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE												
Total claims	20 - 20 =	0	x \$50.00	\$ 0.00											
Independent claims	10 - 3 =	7	x \$200.00	\$ 1,400.00											
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$ 0.00											
TOTAL OF ABOVE CALCULATIONS =				\$ 2,400.00											
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00											
SUBTOTAL =				\$ 2,400.00											
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00											
TOTAL NATIONAL FEE =				\$ 2,400.00											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$ 0.00											
TOTAL FEES ENCLOSED =				\$ 2,400.00											
Amount to be refunded:				\$											
Amount to be charged:				\$											
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>2,400.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-1818</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.															
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.															
SEND ALL CORRESPONDENCE TO: Robert M. Barrett (30,142) Bell, Boyd & Lloyd LLC P.O. Box 1135 Chicago, IL 60690-1135															
				SIGNATURE <div style="border-bottom: 1px solid black; text-align: center;">Robert M. Barrett</div> NAME <div style="border-bottom: 1px solid black; text-align: center;">30,142</div> REGISTRATION NUMBER											

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kolodziejczyk et al.
Appl. No.: PCT/EP03/010740
Filed: 26 September 2003
Title: INTERFACE STABILISATION OF A PRODUCT WITH 2 OR MORE PHASES WITH A
PROTEIN-POLYSACCHARIDE COMPLEX
Art Unit: Unknown
Examiner: Unknown
Docket No.: 112701-595

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (2 pages) (duplicate);
2. Copy of International Application As Filed (33 pages);
3. Copy of International Preliminary Examination Report (2 pages);
4. Copy of International Search Report (7 pages);
5. Unexecuted Declaration (3 pages);
6. Power of Attorney (1 page);
7. Preliminary Amendment (39 pages);
8. Certified Copy of Priority Document (EP 02021653.7);
9. Check in the Amount of \$2,400.00; and
10. Return Receipt Postcard.

are being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on March 24, 2005

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Heather Foster

Name of Person Mailing Correspondence


Signature

EV 351 268 655 US

Express Mail Mailing Label Number